IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.203 OF 2006
IN
CRI.WRIT PETITION NO.1301 OF 2006

M/s Tankrete India Ltd & ors, .. Petitioners
Vs
State of Maharashtra & ors .. Respondents
Mr Khandeparkar i/b Mr S.R.Saudagar, for the petitioners.
Mr S.R.Shinde, APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 27th JUNE, 2006

P.C.:

1. Heard the learned counsel for the petitioners and the learned APP for the respondents.

2. This is the second petition filed by the petitioners. In the earlier petition,bearing criminal writ petition no.1301 of 2006, the following order was passed on 19.6.06.

> "2. By this petition, the petitioner has challenged the order dated 22.5.2006 by which the Sessions Court has suspended the substantive sentence and compensation payable as per the judgment and order dated 29.4.2006 passed by the learned Metropolitan Magistrate. Time granted to make the payment is expiring today and in view thereof the learned counsel for the petitioners states that the petitioners will be satisfied if the time is extended by three days. Time as prayed for is granted. Rest of the order is maintained."

2. It is clear that no amount, as stated and recorded in the order was deposited. In the instant application, the applicant has made the following prayers:

> "(a) This Hon'ble Court be pleased to allow the petitioners to deposit a sum of Rs.1,00,000/-.
>
> (b) This Hon'ble Court be pleased to grant extension of four weeks time to pay the balance of Rs.4,00,000/- from the date of order to comply order dated 22.5.2006 passed by the learned Judge of Sessions Court Mumbai for costs."

It is not possible to show such indulgence. If the petitioners do not make the payment of the entire amount within one week from today the substantive sentence shall become operative. The application is disposed of.

(D.B.BHOSALE,J.)